

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRUCE SNEATH, II,

Plaintiff,

vs.

GMAC MORTGAGE, *et. al.*,

Defendant.

Case No. 2:09-cv-01521-KJD-GWF

ORDER

This matter is before the Court on Defendants GMAC Mortgage, LLC and Executive Trustee Services' Motion for Stay of Discovery Proceedings Pending Disposition of Motion to Dismiss (#44), filed June 29, 2010; Plaintiff's Opposition to Motion for Stay of Discovery Proceedings Pending Disposition of Motion to Dismiss (#50), filed July 12, 2010; and Defendants' Reply in Support of Motion for Stay of Discovery Proceedings Pending Disposition of Motion to Dismiss (#52), filed July 19, 2010.

Defendants request that the Court stay proceedings pending resolution of the following motions: Plaintiff's Motion for a Preliminary Injunction (#8), Defendants' Countermotion to Dismiss under Fed.R.Civ.P. 12(b)(6) (#18), Defendants' Motion to Dismiss for Lack of Standing (#23), Defendant Capital One's Joinder to Motions to Dismiss (#36), Joint Motion for Hearing on Dispositive Motions (#41), and Defendant's Motion to Expunge *Lis Pendens* or in the Alternative Motion to Expunge Fugitive Document (#43). The parties should first and foremost be focused on the two pending dispositive motions. If one or both of the motions were to be granted, then discovery in this case would become moot. On the other hand, if one or both of the motions were denied, the delay in proceeding with discovery would be of little impact. Accordingly,

1 **IT IS HEREBY ORDERED** that Defendants GMAC Mortgage, LLC and Executive Trustee
2 Services' Motion for Stay of Discovery Proceedings Pending Disposition of Motion to Dismiss (#44) is
3 **granted**. Discovery proceedings are stayed pending the Court's determination of the following
4 motions:

- 5 1. Plaintiff's Motion for a Preliminary Injunction (#8);
- 6 2. Defendants' Countermotion to Dismiss under Fed.R.Civ.P. 12(b)(6) (#18);
- 7 3. Defendants' Motion to Dismiss for Lack of Standing (#23);
- 8 4. Defendant Capital One's Joinder to Motions to Dismiss (#36);
- 9 5. Joint Motion for Hearing on Dispositive Motions (#41); and
- 10 6. Defendant's Motion to Expunge *Lis Pendens* or in the Alternative Motion to Expunge
11 Fugitive Document (#43).

12 DATED this 27th day of July, 2010.

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15 GEORGE FOLEY, JR.
16 United States Magistrate Judge
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